

Right Honourable, the Lords of Her  
Majesties Privy Council;

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The Directors of the late Company of  
Scotland, Trading to Africa and the In-  
dies.

18 Sept<sup>r</sup> 1707

Humbly Sheweth,

**T**HAT where it is not unknown to your Lordships, how that the said Com-  
pany when in being, having fitted out for the *East Indies*, from the Port  
of *Leith*, a Ship called the *Speedwell*, about Two Hundred and Sixty Tuns  
Burden, with a suitable Cargo, and all other Provisions necessary. And  
the said Ship coming unluckily to Perish in the Straits of *Malacca*, the Cargo and  
Persons Saved. The Company did Fitt out an other Ship called the *Annandale*, of  
220 Tun Burden, with designe to have Traded to the *East Indies*, and to have brought  
home to *Scotland* the Product of both Ships: But when the Ship the *Annandale* was  
prepared for the said Voyage, and had obtained all Documents and Directions ne-  
cessary from the said Company in *Scotland*, to qualify her for the same, and was ly-  
ing in the Channel ready to Saill. The *English East India* Company, did by their  
own Order and Warrant, directed to Officers, whom they thought fit to employ,  
under the pretence of an *English Act* of Parliament, in a Violent and Surprising man-  
ner, Sease the said Ship the *Annandale*, with her whole Cargo, and by force of Arms,  
bring her in to *Dover*, and Press above Twenty of her Crew, to go Aboard an *Eng-  
lish* Man of War, lying there with many other hardships; that the Master and rema-  
nent Persons of the Crew, and others concerned in the said Ship and Cargo, did at  
that time suffer. All which being represented to Her Majesty; It pleased Her Ma-  
jesty, to give Her Commands, to Her Attorney and Soliciter General, to consider  
the Memorial, exhibited to Her Majesty, by the said Company in *Scotland*, In rela-  
tion to their said Ship and Cargo. In obedience to which Command, the Attorney  
and Soliciter did make their Report; Wherein, albeit they gave their Opinion, that  
the Ship and Goods could not by Law be Restored, but on giving Security, to an-  
swer the Value, in case they should be Condemned; Yet they Certify Her Majesty,  
That the Seisure, in the manner as stated in the Affidavits made upon it, was very  
Disorderly. After which, there was indeed a Proceess, in the Exchequer of *England*,  
for declaring the Seisure; and the same was also found by a Sentence. But a Writ  
being Raised, and a stop thereby put to it; It does still ly over undetermined; And the  
Baill, found by the Company in *Scotland*, does still continue Bound, which is a great  
hardship on the Persons concerned: And which, it is hoped, Her Majesty out of  
Her Royal Justice and Goodness, now after the happy conclusion of the Union, will  
easily be moved to remedy, by ordering the foresaid Proceess to be Discharged, and  
the Baill and Security found, to be given up, and declared Void.

There is also a farder Particular in this Matter, which the Petitioners do hum-  
bly presume to lay before your Lordships: And that is, that after the said Ship the  
*Annandale* and her Cargo were seased and Confiscat in *England*, as above. The  
Company in *Scotland* did judge they had good Ground to make reprisal upon  
the Ship the *Worcester*, and her Cargo belonging to the said *English East-India* Com-  
pany, and here found in *Scotland*, In prosecution whereof, they obtained the said Re-  
prisal, to be declared by the Admiral Court; and the said Ship the *Worcester*, and her  
Cargo to be Adjudged to the Company in satisfaction; which, after Inventory taken,  
and a lawful Roup and publick Sale made, was accordingly done. But the whole  
neat product, after Charges deduced, Extending only to the Sum of £. 3481: 13 2.  
1 6th part *sterl.* far short of the vast damages the Company had sustained by the  
Seisure



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Seafure of the *Annandale*, and her Cargo, which were found as to the *Annandale* Extend to the Sum of *l. 9000:00:00. sterl.* besides *l. 8711. st.* as the prime of the Ship herself and Cargo: Whereby it's evident, that the said Company, and concerned, are still losers unpaid, in the Sum of *l. 5518:07:1. 5 6th parts* resting to them on that Account, and *l. 25270. st.* of Damnges sustaine'd by the way of the Returns of the *Speedwell* which was Occasioned by the seafure of the *Annandale*, extending in all To *l. 30788 07:1: 5 6th parts st.* Your Lordships may be pleased farther to consider, that the *English* owners of the *Worcester* and her Goods, upon Application to the Parliament of *England*, got full Reparation of all the loss, they Alledged they had sustained in *Scotland*. Whereby it appears the more Just and Reasonable, that your Petitioners should still be considered, for their said remaining Loss, to have the same made up to them, for their relief: And seeing that your Lordships have all along been acquainted with this-Affair, and are perfectly known to all the Steps of it: And that we have all Encouragement to judge, That if it shall please your Lordships to lay the whole matter before Her Majesty, We may not only obtain the foresaid Proces of Seafure, with the Baill found in *England* discharged. But likewise that Her Majestie may be graciously inclined to order our foresaid outstanding loss to be repaired, and made good to us out of the Excesse of the Equivalent that may arise to *Scotland* for the Seven Years to come, provided for by the Treaty of Union, or out of any other Fond, Her Majesty shall think fit.

May it therefore please your Lordships, to take the Premisses to your Consideration, and to recommend us to Her Majesty's Royal Favour and Goodness, both for Relief and Discharge of the foresaid Proces and Baill: And likeways for Reparation of our foresaid remaining loss, out of the foresaid Excesse, or any other Fund; in such manner as Her Majesty shall be Graciously Pleas'd to Appoint.

And your Lordships Petitioners shall ever Pray.

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